

## Members' Library Service Request Form

Date of Document	23/12/14
Originator	Chief Executive
Originator's Ref (if any)	
Document Title	BSL (Scotland) Bill - Call for Evidence

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East Lothian Council
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Additional information:

Attached are letters from the Chief Executive to the Scottish Parliament Education and Culture Committee and Finance Committee in response to their calls for evidence about the British Sign Language (Scotland) Bill currently before Parliament.

Authorised By	Angela Leitch
Designation	Chief Executive
Date	23 December 2014

For Office Use Only:	
Library Reference	258/14
Date Received	23/12/14
Bulletin	Dec 14

Our Ref : AL/CCD  
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Angela Leitch  
CHIEF EXECUTIVE

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23 December 2014

Dear Committee Members

**BSL (SCOTLAND) BILL  
CALL FOR EVIDENCE FROM LISTED AUTHORITIES**

1. I am responding on behalf of East Lothian Council to your call for evidence on the British Sign Language (Scotland) Bill, sent with Lewis McNaughton's email of 19 November.
2. When Mark Griffin MSP consulted on proposals for a Bill in 2012, I responded to him on behalf of East Lothian Council. The views expressed at that time have not changed and so I would like to refer the Committee to that response, a copy of which I attach.
3. To summarise these views:
  - the Council supports the **aim** of encouraging awareness and use of BSL;
  - however it is of the view that this should be within the context of promoting **inclusive communication in the broadest sense**;
  - the Council is not persuaded that legislation is the most suitable tool;
  - I would point to our existing responsibilities under the Equality Act 2010;
  - I suggested as an alternative to a Bill that a national strategy might be more appropriate, to include funding for training in relevant means of communication;
  - there is a shortage of trained BSL interpreters nationally, which currently tends to increase costs as they often need to travel significant distances to reach us;
  - the Council would expect any requirements on local authorities under the Bill to be fully funded by central Government.

4. In addition, I would like to make the following points:

4.1 The Financial Memorandum to the Bill suggests that the cost to a council of producing a first plan would be £20,000 – £30,000; and that subsequent plans would cost £10,000 - £20,000 to produce. (These figures do not take into account any costs involved in implementing the plans.) For the Committee's information, East Lothian Council has received 8 requests for a BSL interpreter in the last two years. Average cost for the service was around £80 - £100 per request, depending on relevant requirements. Given this relatively low level of demand among the population of East Lothian, it would be my view that the potential costs quoted in the Financial Memorandum to the Bill for producing BSL plans would seem to be disproportionate to the level of need we have seen to date in our area. I will be making this point to the Finance Committee also.

4.2 The Scottish Government's Sensory Impairment Strategy **See Hear** was launched in May 2014 and is currently being implemented. This strategy looks at developing communication support for everyone with sensory impairment as part of a broader service improvement programme. In the view of officers of this Council, that is a more inclusive and integrated approach.

I hope you find this helpful.

Yours sincerely

A handwritten signature in black ink that reads "Angela Leitch". The signature is written in a cursive, flowing style.

**ANGELA LEITCH**  
Chief Executive

Our Ref : AL/CCD  
Direct Line : 01620 827413

Angela Leitch  
CHIEF EXECUTIVE

**By email**  
Finance Committee  
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23 December 2014

Dear Committee Members

### **BSL (SCOTLAND) BILL - CALL FOR EVIDENCE**

1. I am responding on behalf of East Lothian Council to your call for evidence about the financial aspects of the British Sign Language (Scotland) Bill.
2. The Council supports the aim of encouraging awareness and use of BSL; however it is of the view that this should be within the context of promoting inclusive communication in the broadest sense. The Council is not persuaded that legislation is the most suitable tool and is also mindful of the statutory responsibilities it has under the Equalities Act 2010.
3. The Financial Memorandum to the Bill suggests that the cost to a council of producing a first plan would be £20,000 – £30,000; and that subsequent plans would cost £10,000 - £20,000 to produce. For the Committee's information, East Lothian Council has received 8 requests for a BSL interpreter in the last two years. Average cost for the service was between £80 - £100 per request, depending on relevant requirements. Given this relatively low level of demand among the population of East Lothian, it would be my view that the potential costs quoted in the Financial Memorandum to the Bill for producing BSL plans would seem to be disproportionate to the level of need we have seen to date in our area.

4. The Financial Memorandum specifically excludes the possible costs of implementing the plans made under the Bill. Given that no extra money is to be made available, there is a risk of plans having no substance, because local authorities are not in a position to allocate new monies to new activity and do not themselves see that BSL should be championed over and above other inclusive means of communication. If this happens, the money spent on new plans will itself have been wasted.

I hope you find these comments helpful.

Yours sincerely

A handwritten signature in black ink that reads "Angela Leitch". The signature is written in a cursive, flowing style.

**ANGELA LEITCH**  
Chief Executive

## Members' Library Service Request Form

Date of Document	29/10/12
Originator	Chief Executive
Originator's Ref (if any)	
Document Title	Proposed British Sign Language Bill: Consultation

Please indicate if access to the document is to be "unrestricted" or "restricted", with regard to the terms of the Local Government (Access to Information) Act 1985.

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East Lothian Council
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Additional information:

Copy of response to Mark Griffin MSP on his proposals for a members' bill to promote the use of British Sign Language.

Authorised By	Angela Leitch
Designation	Chief Executive
Date	02/11/12

For Office Use Only:	
Library Reference	253/12
Date Received	02/11/12
Bulletin	Nov 12

sent 30/10/12 MP

Our Ref: AL/CD/MEP

Date: 29 October 2012

Mark Griffin MSP  
Room M1:20  
Scottish Parliament  
EDINBURGH  
EH99 1SP

Dear Mr Griffin

**PROPOSED BRITISH SIGN LANGUAGE BILL: CONSULTATION**

I am writing to offer a response on behalf of East Lothian Council to your consultation on a proposed members bill to promote British Sign Language.

Please find attached our response to your questions. Thank you for the opportunity to contribute to thinking on this important topic.

Yours sincerely



**Angela Leitch**  
Chief Executive

## **PROPOSED BRITISH SIGN LANGUAGE BILL: CONSULTATION RESPONSE ON BEHALF OF EAST LOTHIAN COUNCIL**

*Question 1. Do you support the general aim of the proposed BSL Bill? Please indicate “yes/no/undecided” and explain the reasons for your response.*

Yes, the Council would support the general aim of encouraging awareness and use of BSL, but within the context of promoting inclusive communication in the broadest sense.

Also, while supporting the general aim of the Bill, this does not mean we support the means suggested to fulfil these aims. I elaborate on this in responses to the further consultation questions.

*Question 2. Do you believe legislation is required? If not, what other non-legislative means can be followed?*

No, we are not persuaded that new legislation is the most suitable tool.

We think that the requirements placed on local authorities through the Equality Act 2010 provide the right mechanism to address these issues within an authority.

At a national level, rather than legislation we would advocate a national strategy to include training in relevant means of communication, particularly funding for the training of BSL interpreters and for enabling a range of means of communication such as BSL DVDs.

*Question 3. What, if any, might be the main benefits of the proposed Bill? Do you see any challenges? Please list these.*

### **Potential Benefits:**

- better inclusion – for example
  - staff who can communicate with deaf people in acute situations (eg in hospitals);
  - use of official BSL interpreters would remove issues of confidentiality experienced when friends/ family members act as interpreters;
  - raised awareness not just for BSL but of deafness, hearing impairment and cultural issues for the deaf community.

### **Potential Challenges:**

- Resources. Given the availability of public resources and the general demands upon them, it is difficult to see how allocating the resources required to deliver the suggested provisions could be reasonable and proportionate.
- There is not one single BSL and there are other signed languages.
- It would be challenge to establish all relevant circumstances in which to offer support.

East Lothian Council supports people who want to communicate using BSL. We use professional interpreters to support individuals and families when required. However, there is a shortage of qualified interpreters which means that often interpreters have to travel significant distances to provide support for a short time. This increases the costs involved for



the provision of this type of service. The Bill proposes the delivery of “free BSL classes” without considering whether there is sufficient number of qualified BSL teachers to deliver this training in a sustainable way.

Additionally, the Council has provided basic training in BSL for customer-facing staff, which we think is well worth doing. However, because they are not often called on to use BSL, arguably retention of the knowledge and skill they have gained is going to be difficult (as with any language).

We have also invested in general Deaf Awareness including the use of alternative ways to communicate with a deaf person eg writing down key messages and finger spelling.

***Question 4. Do you agree with the case for taking specific action to promote BSL (as opposed to other minority languages)?***

No, we do not agree. There are many more methods of inclusive communication, not just for deaf people - such as Braille, Moon, symbol systems, pictures, expressive boards, talking mats and IT.

We would wish to see support for people to use the communication methods that suit them best, and to help them acquire means that suit them better where relevant (so for example we offer support to people who want to learn English).

We would wish to promote inclusivity in communication, which would include awareness and use of other forms of sign language, texting, and finger-spelling (particularly for deaf-blind people).

We would also wish to promote parental choice and knowledge, particularly relevant where hearing parents are bringing up a child who is deaf, or deaf parents are bringing up a hearing child.

***Question 5. To what extent might this proposed Bill improve awareness of the case for access to free BSL classes for deaf children and their families? What other non-legislative measures might be required?***

We would not think it appropriate to use legislation to promote “awareness” of an argument. “Free” classes must in the end be paid for from public funds and if consistency on their availability is required then provisions should be included within any Bill. Increasing the number of qualified BSL interpreters and trainers will be an important consideration in meeting the needs of BSL users in the future.

***Question 6. Should there be a designated Minister to take the lead on BSL in the Scottish Government or should this be the responsibility of all Scottish Ministers? What benefits or challenges will a designated Minister have for BSL and for Deaf people and what in your opinion should the role of the designated Minister entail?***

We do not think it appropriate for the Scottish Ministers to champion BSL to the disadvantage or exclusion of other means of communication. We would suggest instead that the Ministers for Language and for Equality have a role to play to ensure that inclusive communication is promoted and that the needs of the Deaf community and their families are understood and considered in service provision.

***Question 7. Do you believe an Advisory Board of BSL users should be established, to advise the designated minister or all Scottish Ministers? Please explain the reasons for your answer.***

We would welcome the establishment of an Advisory Board to cover inclusive communications more broadly.

***Question 8. Relevant public authorities will have to develop BSL action plans. Should there be a detailed list of such authorities (for example, the Scottish Government, the Scottish Parliament, health boards, local authorities etc) and if so, which ones should be included and why? Which ones should not?***

As already stated, we do not see the need for legislation in this regard although we do think that public authorities should include deaf awareness and inclusive communications within their equalities planning. If there were to be legislation, we would propose the same list of public authorities as has been produced within Equalities legislation.

***Question 9. What financial implications do you envisage the proposed Bill would have for you or your organisation? What (if any) other significant financial implications are likely to arise?***

There are potentially massive financial implications for local authorities. If legislation were to be passed we would be looking to the government to fully fund the requirements, but even so there would be a pointed imbalance with people who need other forms of communication support.

***Question 10. Do you believe if this proposed Bill becomes law, it will have a positive or negative impact on equality and diversity within your organisation? If you believe it will have a negative impact, how can this be minimised or avoided?***

We would anticipate positive effects for users of BSL.

We would anticipate a negative effect on people who have other communications needs, through concentrating resources disproportionately.

***Question 11. Do you have any other comments on or suggestions relevant to the proposal?***

Under the section 12 of the Equalities Act 2010, Scottish Ministers have power to identify priorities for public authorities. If Scottish Ministers agree that the issue of Deaf Awareness or provision of BSL were a priority for them, then this may provide a useful way to support public services to perform better in the way they fulfil their relevant equalities duties.

East Lothian Council  
30 October 2012

